

Application No. 10/599,422  
Amdt. Dated: December 23, 2008  
Reply to Office Action Dated: October 2, 2008

## **REMARKS/ARGUMENTS**

The Examiner is thanked for the Office Action mailed October 2, 2008. The status of the application is as follows:

- Claims 1-20 are pending, claims 1-15 have been amended, and claims 16-20 have been added;
- The specification is objected to;
- Claims 1-6, 9-11 and 13-15 are rejected under 35 U.S.C. 102(b) as being anticipated by Dobbs et al. (US 5,487,098);
- Claim 7 is rejected under 35 U.S.C. 103(a) as being unpatentable over Dobbs et al. in view of Pritzkow et al. (US 4,521,689); and
- Claims 8 and 12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Dobbs et al. in view of Sherman et al. (US 6,990,176).

The objections and rejections are discussed below.

### **The Objection to the Specification**

The specification is objected to for the reason that the title of the invention is not descriptive. The title of the invention has been amended to be descriptive of the invention to which the claims are directed, rendering the objection moot. Thus, this objection should be withdrawn.

### **The Rejection of Claims 1-6, 9-11 and 13-15 under 35 U.S.C. 102(b)**

Claims 1-6, 9-11 and 13-15 stand rejected under 35 U.S.C. 102(b) as being anticipated by Dobbs et al. This rejection should be withdrawn because the subject claims have been amended to include additional claim aspects not found in the prior art.

A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference. *Verdegaal Bros. v. Union Oil Co. of California*, 814 F.2d 628, 631 (Fed. Cir. 1987). MPEP §2131.

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Amended independent **claim 1** is directed to a modular device for the detection and/or transmission of radiation. Claim 1 has been amended to include that a joint is adapted to allow rotation of each module relative to a carrier and to allow a set of modules to self-align by mutually contacting each other. Dobbs et al. does not teach or suggest this claim aspect.

In the subject Office Action, the Office asserts that Dobbs et al. teaches a carrier 28 with a mounting surface 40 and a set of first connecting elements 54, 56, 58 and a set of modules 14 for the detection and/or transmission of radiation, each of them comprising a second connecting element (e.g., dowels 60) that can be coupled to one of said first connecting elements to form a joint. However, Dobbs et al. fails to teach that the joint is adapted to allow rotation of each module relative to the carrier and to allow the set of modules to self-align by the modules mutually contacting each other as required by claim 1.

Instead, Dobbs et al. teaches that anti-scatter modules 26 are accurately positioned by aligning holes 80 and 82 and a slot 84 disposed on a lip 78 of a base plate 70 onto respective dowel pins 60A, 60B and 60C fitted into a primary reference hole 44 and two associated secondary reference holes 48 drilled into an arc shaped spine 28 of a rotating gantry of a CAT scanner (col. 6, lines 19-55; col. 3, lines 35-60; Fig. 2). Each anti-scatter module 26 has one associated primary reference hole 44 and the locations of the holes 44 are accurately controlled with respect to the arc center of the spine 28 and to each other (col. 5, lines 53-64; Fig. 2).

In other words, in Dobbs et al. the holes 80, 82 and slot 84 aligned on dowel pins 60A, 60B and 60C align the modules 26 on the spine 28 and the arrangement is not a joint adapted to allow rotation of each module relative to the carrier and to allow the modules to self-align by mutually contacting each other as required by claim 1. Accordingly, this rejection should be withdrawn.

**Claim 2** depends from claim 1 and requires, *inter alia*, that the joint is adapted to allow rotation on at least one axis and/or revolution around a point and/or a linear movement. The Office asserts that Dobbs et al. teaches this claim aspect in col. 6, lines 43-47. Applicants respectfully disagrees. The cited section of Dobbs et al. fails to teach this claim aspect. As discussed *supra*, Dobbs et al. teaches that holes 80, 82 and a slot 84 are aligned on dowel pins 60A, 60B and 60C and this prevents rotation of the modules 26 on at least one axis and/or

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revolution around a point and/or a linear movement as required by claim 2. Accordingly, this rejection should be withdrawn.

**Claims 3-6, 9-11 and 15** depend from claim 1 and are allowable at least by virtue of this dependency.

Independent **claims 13 and 14** have been amended to include claim aspects similar to those added to claim 1. As such, the above discussion with respect to claim 1 applies *mutatis mutandis* to claims 13 and 14, and this rejection should be withdrawn.

**The Rejection of Claim 7 under 35 U.S.C. 103(a)**

Claim 7 is rejected under 35 U.S.C. 103(a) as being unpatentable over Dobbs et al. in view of Pritzkow. **Claim 7** depends from claim 1 and is allowable to least by virtue of this dependency.

**The Rejection of Claims 8 and 12 under 35 U.S.C. 103(a)**

Claims 8 and 12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Dobbs et al. in view of Sherman et al. This rejection should be withdrawn because the combination of Dobbs et al. and Sherman et al. does not teach or suggest all the limitations of the subject claims and, therefore, fails to establish a *prima facie* ease of obviousness with respect to the subject claims.

The rationale to support a conclusion that the claim would have been obvious is that all the claimed elements were known in the prior art and one skilled in the art could have combined the elements as claimed. *KSR International Co. v. Teleflex Inc.*, 550 U.S. \_\_\_\_ (2007). MPEP §2143.

**Claim 8** depends from claim 1 and requires, *inter alia*, the second connecting elements are flexible rods. The Office concedes that Dobbs et al. does not teach a particular material as being necessary for the composition of the dowel pins 60. In an attempt to make up for this conceded deficiency, the Office asserts that Sherman et al. teaches connecting elements made of flexible material (col. 7, lines 20-25). The Office concludes that it would have been obvious to a person of ordinary skill in the art at the time the invention was made to construct these elements from a material which allows flexibility, as taught by Sherman et al., in order to accommodate

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for a necessary tolerance, which Dobbs et al. teaches is a concern. Applicants respectfully disagree. The cited section of Sherman teaches that an electronic device 117 includes a flexible circuit electrically coupled to an electrical connector 66. In an exemplary embodiment, the flexible circuit is a flexible electrical cable, such as a flexible ribbon cable (col. 7, lines 20-25). Hence, the combination of Dobbs et al. and Sherman et al. fails to teach that the second connecting elements are flexible rods as required by claim 8. Accordingly, this rejection should be withdrawn.

**Claim 12** depends from claim 1 and requires, *inter alia*, that the first and second connecting elements are adapted to make at least one electrical contact when coupled together. The Office concedes that Dobbs fails to teach this claim aspect. In an attempt to make up for this conceded deficiency, the Office asserts it is known that an adaptation wherein connecting elements also form at least one electrical contact is known in the art of modular radiation detectors. The Office also asserts that Sherman et al. teaches connectors that are also I/O ports. The Office concludes it would have been obvious to a person of ordinary skill in the art at the time the invention was made to have contacts that form an electrical connection as well as a joint as taught by Sherman et al. since the connectors taught by Sherman et al. allow for the insertion and extraction or field replacement of sensor arrays without the use of special tools or extra attachment components. However, applicants respectfully submit that the adaptation wherein connecting elements also form at least one electrical contact is not known in the art and it is not obvious to have contacts that form an electrical connection as well as a joint. In this regard, the Examiner has failed to show that this feature is taught or suggested in the prior art as is required by 35 U.S.C. 103(a). Accordingly, this rejection should be withdrawn.

#### **New Claims 16-20**

Newly added claims 16-20 emphasize various aspects. No new matter has been added. The aspects in these claims are absent from the prior art. Entry and allowance of claims 16-20 is respectfully requested.

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**Conclusion**

In view of the foregoing, it is submitted that the claims distinguish patentably and non-obviously over the prior art of record. An early indication of allowability is earnestly solicited.

Respectfully submitted,

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